

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

MICHAEL T. WERNER, #01481362

§

VS.

§

CIVIL ACTION NO. 4:13cv317

DIRECTOR, TDCJ-CID

§

ORDER OF DISMISSAL

This case was referred to United States Magistrate Judge Don D. Bush, who issued a Report and Recommendation concluding that the petition for a writ of habeas corpus should be dismissed without prejudice. Petitioner filed objections.

The Report of the Magistrate Judge, which contains his proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. Having made a *de novo* review of the objections raised by Petitioner to the Report, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the court adopts the findings and conclusions of the United States Magistrate Judge as the findings and conclusions of the court. It is accordingly

**ORDERED** that the petition for a writ of habeas corpus is **DISMISSED** without prejudice.  
It is further

**ORDERED** that all motions not previously ruled on are hereby **DENIED**.

**SIGNED this the 28th day of March, 2014.**



RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE